IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.7439 OF 2005

Dnyaneshwar Gopal Ghotage).. Petitioner

Versus

Manikchand Gulabchand Shaha).. Respondent

Mr.A.A. Joshi for the Petitioner.

Mr.S.G. Kudle for the Respondent.

CORAM: SMT.NISHITA MHATRE, J.
DATED: 26TH OCTOBER 2005

P.C.:

. This Petition challenges the judgment and order dated 29th July 2005 passed in Regular Civil Appeal No.31 of 2005 by the Additional District Judge, Pandharpur decreeing the Suit. The trial Court had dismissed the Suit which was filed for bona fide requirement of the landlord. The trial Court had observed that the landlord had not proved the bona fide requirement for the suit premises. The Appellate Court after considering the evidence has concluded that the landlord had established the need for the suit premises. The Court has also considered the comparative hardship. On this issue, the Appellate Court has recorded that the Petitioner had admitted that he was in possession of premises admeasuring about 40 khans and shed and shop. The Appellate Court therefore found that the hardship caused to the landlord would be greater if the decree was not passed. I see no reason to interfere with the order of

the Appellate Court. Writ Petition dismissed.